

**TEKER TORRES & TEKER, P.C.**  
SUITE 2A, 130 ASPINALL AVENUE  
HAGĀTÑA, GUAM 96910  
TELEPHONE: (671) 477-9891-4  
FACSIMILE: (671) 472-2601

*Attorneys for the Estate of  
Roland Anthony Boudreau, Deceased*

**FILED  
DISTRICT COURT OF GUAM**

FEB 01 2008

**JEANNE G. QUINATA**  
*Clerk of Court*

**IN THE DISTRICT COURT OF GUAM**

CASSANDRA CHAU TRUONG, ) CIVIL CASE NO. 06-00022  
Administratrix of the Estate of )  
ROLAND ANTHONY BOUDREAU, )  
deceased, )  
Plaintiff, )  
vs. ) TRIAL BRIEF  
UNITED STATES OF AMERICA, )  
Defendant. )

I.

## **FACTUAL SUMMARY**

This is a Federal Tort Claims Action (“FTCA”), 28 U.S.C. § 2671, *et seq.*, and this Court has jurisdiction of this action pursuant to 28 U.S.C. § 1336(b), and arises under the following factual circumstances.

Prior to April 2, 2005, three entities joined together to hold a *Three Doors Down* concert

-00022 Document

1 on U.S. Navy property at ***Polaris Point***, in Guam. Those three entities are the U.S. Navy's Morale,  
2 Welfare & Recreation Department ("MWR"), ***Ambros, Inc. dba Shimbros Productions***, and the  
3 promoter, Karl Pangelinan, doing business as ***Malafunkshun Productions*** ("Malafunkshun").  
4 Simply put, the arrangement was that MWR would supply the grounds and the security for the  
5 grounds, namely ***Polaris Point***. Ambros and Budweiser would supply the drinks, and  
6 ***Malafunkshun*** would make arrangements for the ***Three Doors Down*** band to play at the concert.  
7 MWR was also responsible for picking up golf carts at the ***Navy Golf Course*** and transporting them  
8 to ***Polaris Point*** to be used by the various employees of the above-mentioned three sponsoring  
9 entities.

10 At some time prior to the actual concert, MWR personnel walked the ***Polaris*** grounds and  
11 determined that there were several hazards at the concert grounds, such as iron bars and holes in the  
12 ground, that needed to be identified, roped off, or protected, so that people would not trip over the  
13 holes, or drive their cars or golf carts over the holes. The MWR personnel, after identifying the  
14 hazards, hired a welding company to remove all of the protruding metal hazards. However, on the  
15 day of the concert, they merely placed orange traffic cones or 55-gallon trash barrels over the holes.

16 One day prior to the concert, the MWR personnel picked up twelve (12) golf carts from the  
17 ***Navy Golf Course*** and delivered them to ***Polaris Point*** for use by the various employees of the three  
18 entities. There was no training or instructions on the use of the carts given by MWR or the ***Navy***  
19 ***Golf Course***, or by anybody concerning the use of those golf carts.

20 The concert was heavily promoted, both on and off the base, and certain VIPs were invited  
21 to a special VIP pre-concert party at the ***Hard Rock Café*** in Tumon, prior to the concert. The  
22 decedent, Roland Anthony Boudreau, was invited to that VIP pre-concert party and, after attending  
23 that party, he, along with the other VIPs, were brought to the concert grounds at ***Polaris Point*** and

1        were ensconced in VIP tents. Budweiser and Ambros, since they were one of the sponsors of this  
2        event, served beer at the VIP tents for the VIP guests. MWR's vendors served beer for the general  
3        public.

4              The Plaintiff, Cassandra Truong, is the widow of the decedent Boudreau and was working  
5        for Ambros as a Marketing Representative. She was at the concert premises from about 8:30 in the  
6        morning to about 8:00 o'clock p.m. on the day of the concert. After the concert was over, about 6:00  
7        o'clock p.m., all of the personnel for the promoters and for MWR, etc., began cleaning up the  
8        concert grounds and during the breakdown of the concert, people were being ferried back and forth  
9        between the concert grounds and the parking area utilizing the MWR golf carts.

10             The Plaintiff, Cassandra Truong, was authorized to use a golf cart and, after the concert was  
11        over and about 7:00 o'clock p.m., she transported another employee of Ambros, Julia Pocaigue, and  
12        placed her in the passenger seat of the golf cart. She also picked up Julia's son, Donovan Rivera,  
13        and also her husband, the decedent, and put them on the back part of the golf cart where the golf  
14        bags are generally placed. Donovan was situated behind Cassandra and Roland was situated behind  
15        Julia. It was dark at that time and there were no lights on the golf carts, nor was the general area lit  
16        up with lights. Two other people also got into Cassandra's cart, but Shawn Pascua, also an Ambros  
17        employee, took two of those people and put them in his cart. Kaoru in the front and Eric Roberto  
18        in the back. Cassandra then began driving at a slow speed from the concert grounds over to the  
19        parking area with four people in her golf cart and was following the other golf cart that was being  
20        driven by Shawn Pascua. During that drive, she ran over one of the holes that had been previously  
21        identified by MWR, but had not been roped off and there were no traffic cones or trash barrels  
22        around the hole because they were probably removed or taken during the day. When Cassandra hit  
23        the hole, her husband was violently thrown from the golf cart and he landed on the back part of his

head on the pavement and suffered a concussion. Security was called, the ambulance arrived, and the decedent was transported to the U.S. Naval Hospital and, despite the medical services rendered to him, he died the next day, April 3, 2005 at the U.S. Naval Hospital. He was survived by his minor son, Joshua Boudreau Chapman, and his wife, Cassandra Truong.

Cassandra Truong then applied for letters of administration on the Estate of the decedent in the Superior Court of Guam in Probate Case No. PR0151-05 and was appointed the Administratrix of the decedent's Estate. On January 12, 2006, Cassandra Truong filed a Claim for Wrongful Death with the United States of America but, as of August 21, 2006, the Defendant had neither accepted nor rejected the claim and, pursuant to 28 U.S.C. § 2675(a), Plaintiff elected to consider the failure to act on her claim as a denial of that claim and this lawsuit followed. A formal denial of claim was received from the U.S. months later.

II.

## **NEGLIGENCE OF THE DEFENDANT**

Paragraphs 7, 8, 9 and 10 of the Complaint sets forth the specific acts of negligence of the Defendant, which were the proximate cause of the decedent's death. Those paragraphs read as follows:

7. The decedent was legally on the U.S. owned Premises at the time of the accident and the Defendant owed an affirmative duty to inspect the Premises and to exercise reasonable care to make the Premises safe for decedent's entry thereon.

8. The Defendant, the United States of America, and its employees and agents, negligently maintained, managed, controlled and operated said Premises in that there were bumps, holes and imperfections on the roadways and other portions of the Premises which the Defendant knew or, in the exercise of reasonable care, should have known, constituted a dangerous condition and unreasonable risk of harm of which decedent was at all times herein mentioned unaware of.

9. The Defendant negligently failed to take steps to either make the conditions safe or to warn decedent of the dangerous conditions, all of which caused the decedent to

1 fall from the golf cart, hit his head on the pavement and died as a result thereof.

2 10. In addition to the foregoing, the Defendant negligently permitted the use of the  
3 aforesaid golf cart by persons who were not trained in operating same and negligently  
4 failed to train or supervise the operators of said golf carts, which negligence  
contributed to the accident hereinabove described.

5 **III.**

6 **THE APPLICABLE LAW**

7 The Defendant, the United States of America, has waived immunity from suit under the  
8 FTCA and can be sued like a private person and the law of the place where the tort occurred is the  
9 law that should be applied. In this case, since the tort occurred in Guam, the law of Guam would  
10 be applied. "Under the Federal Tort Claims Act, the United States can be sued for its torts, but it  
11 is only liable 'if a private person [ ] would be liable to the claimant in accordance with the law of  
12 the place where the act or omission occurred, 28 U.S.C. § 1346(b); *see also* 28 U.S.C. § 2674-  
13 80...That means that the United States must be treated as a private person for purposes of our  
14 analysis..." *Ravell v. U.S.*, 22 F.3d. 960, 961 (9<sup>th</sup> Cir. 1994).

15 So we must determine what the law of Guam is in analyzing this matter.<sup>1</sup> The first reported  
16 FTCA case discussing the law of Guam and how it should be applied in an accident on the Navy  
17 base is *Lester v. U.S.*, 487 F.Supp. 1033, 1037 (Tex. 1980), where a Navy wife slipped and fell on  
18 some slippery steps at the Naval Station in Guam and was severely injured. The Texas District  
19 Court, utilizing Guam law, held as follows:

20 ///

21 \_\_\_\_\_  
22 <sup>1</sup> There are very few California/Ninth Circuit cases on this point, but that is only because  
California has adopted a recreational use statute under § 846 of its Civil Code, and most accidents  
arising on federal property in California are immune from liability due to California's recreational use  
immunity laws. *See Ravell, supra*. Guam never adopted the same statute.

1       Under Guam law there is a specific statute that deals with responsibility for  
2       negligence. Section 1714 of the Guam Civil Code<sup>2</sup> states:

3             Every one is responsible, not only for the result of his willful acts, but  
4             also for an injury occasioned by another by his want of ordinary care  
5             or skill in the management of his property or person, except so far as  
6             the latter has willfully brought the injury upon himself...

7       Guided by these laws and by what this court believes to be their proper application,  
8       this court finds that the defendant, acting through the United States Navy, was  
9       negligent...by failing to exercise ordinary care in maintaining the steps in front of the  
10      Lester apartment.

11      That is precisely the situation that we have now in the case at bar, and it makes no difference  
12      whether the person who comes on to the property is a trespasser, licensee or invitee. In years past,  
13      there were cases that tried to show that there were different results depending upon if the person was  
14      a trespasser, licensee or invitee. But in *Rowland v. Christian*, 69 C.2d. 108, 119 (1968), the  
15      California Supreme Court abrogated those old common law distinctions and stated that,

16      The proper test to be applied to the liability of the possessor of land in accordance  
17      with § 1714 of the Civil Code, is whether in the management of his property, he has  
18      acted as a reasonable man in view of the probability of injury to others, and although  
19      the plaintiff's status as a trespasser, licensee, or invitee, may in the light of the facts  
20      giving rise to such status, have some bearing on the question of liability, the status  
21      is not determinative...where the occupier of land is aware of a concealed condition  
22      involving in the absence of precautions an unreasonable risk of harm to those coming  
23      in contact with it, and is aware that a person on the premises is about to come in  
24      contact with it, the trier of fact can reasonably conclude that a failure to warn or to  
25      repair the condition constitutes negligence.

26      See also *Grayson v. U.S.*, 748 F.Supp. 854, 859 (Fla. 1990), following Florida law "that the  
27      traditional distinction among business invitees, public invitees, and licensees by invitation were no  
28      longer valid, and all three classes are invited visitors who are owed a duty of reasonable care under  
29

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30             <sup>2</sup> Now recodified as 18 G.C.A. § 90107.

1 the circumstances."

2 And this, of course, is in line with § 343 of the Restatement Second of Torts, entitled

3 ***Dangerous conditions known to or discoverable by possessor:***

4 A possessor of land is subject to liability for physical harm caused to his invitees by  
5 condition on the land if, but only if, he (a) knows or by the exercise of reasonable  
6 care, would discover the condition, and should realize that it involves an  
unreasonable risk of harm to such invitees, and

7 (b) should expect that they will not discover or realize the danger, or will fail to  
protect themselves against it, and

8 (c) fails to exercise reasonable care to protect them against the danger.

9 Comment (b) to that section provides that:

10 "An invitee enters upon an implied representation or assurance that the land has been  
11 prepared and made ready and safe for his reception. He is therefore entitled to expect  
that the possessor will exercise reasonable care to make the land safe for his entry,  
or for his use for the purposes of the invitation.

13 But more importantly, the Supreme Court of Guam, in a well-reasoned opinion, and citing  
14 to *Rowland, supra*, and the *Restatements, 2d., supra*, declared what the law of Guam is concerning  
15 premises liability:

16 We follow the principle first enunciated in *Nissan Motor Corp.*, 2002 Guam 5, that  
17 a property owner must exercise reasonable care in the management of his property  
in view of the probability of injury to others, and we hold specifically that in order  
18 to be liable for injury caused by a harmful or dangerous condition on a property, there  
must be negligence on the part of the property owner itself. The owner must have  
caused the condition, or have actual or constructive knowledge of the existence of  
19 the condition in sufficient time to correct it. *Guerrero v. McDonalds, et al.*, 2006  
Guam 2, headnote 23.

21 In this case, the government agents went on the *Polaris Point* property prior to the concert  
22 and marked the areas where the holes were located so that people wouldn't trip over the holes at  
23 nighttime or daytime, or wouldn't drive over the holes. They then proceeded to place orange traffic

1 cones or trash barrels over the holes, but didn't take into consideration that those traffic cones or  
2 barrels, with thousands of people attending the concert that day, could be easily stolen or removed  
3 because, as the testimony will show, on the night of the accident, there were no traffic cones  
4 surrounding the holes that caused the death of the decedent. All of the people involved with this  
5 concert knew that there would be thousands of people attending the concert; that they would be  
6 driving or walking all over the concert grounds; and the possibilities of accidents occurring, whether  
7 by walking, driving cars, or driving golf carts, would take place and that proper precautions should  
8 have been taken to make certain that the holes the Navy had already identified as being dangerous  
9 would be identified and protected at all times during the concert, whether day or night.

10 [the owner's] duty is to anticipate and guard against lurking perils, inspect the  
11 premises and facilities and to keep the aisles and other passageways free from  
12 substances which might cause a person to slip. This is especially true in the case of  
*Travis v. Metropolitan Theaters Corp.*, 91 C.A.2d. 664, 667 (1949).

13 Once the Navy undertook a survey of the **Polaris Point** premises and identified potential  
14 dangers, it then had a duty to ensure that the potential dangers on the property were made known to  
15 all invitees that came on that property. This principle was set forth in the leading case of *Indian*  
16 *Towing Co. v. U.S.*, 350 U.S. 61, 69, 76 S.Ct. 122, 127(1955):

17 The Coast Guard need not undertake the lighthouse service, but once it exercised its  
18 discretion to operate a light on **Chandeleur Island**, and engendered reliance on the  
19 guidance afforded by the light, it was obligated to use due care to make certain that  
20 the light was kept in good working order; and, if the light did become extinguished,  
then the Coast Guard was further obligated to use due care to discover this fact and  
to repair the light or give warning that it was not functioning. If the Coast Guard  
failed in its duty and damage was thereby caused to petitioners, the United States is  
liable under the Tort Claims Act.

22 *See also Denham v. U.S.*, 834 F.2d. 518, 520 (5<sup>th</sup> Cir. 1987) to the same effect: "Once the  
23 government does undertake to supply a service, then it must be held responsible for negligent acts

1 in supplying the service....Denham was injured because the Corps. chose to ring the swimming site  
2 with concrete blocks and then failed to ensure that they did not drift into an area where they would  
3 endanger swimmers. The Corps. here was performing an operational function, and it did not have  
4 the discretion to do so negligently.”

5       See also *Handy v. U.S.*, 867 F.2d. 1150 (8<sup>th</sup> Cir. 1989), applying Illinois law where the court  
6 imposed liability on the U.S. where Park Rangers were negligent in their duty to inspect and  
7 maintain the premises in a reasonably safe condition when a camper tripped on a wire clothes hangar  
8 in an unlit area; and *Borlandoe v. U.S.*, 86 F.Supp.2d. 493, 495 (Pa. 2000), applying Pennsylvania  
9 law where the government breached its duty of care to an invitee who tripped on a sidewalk brick  
10 at a national park that had been raised up by only one quarter inch; and, see also *Faircloth v. U.S.*,  
11 837 F.Supp. 123, 126 (N.C. 1993), the court there applied North Carolina law and held that the  
12 owner of the premises must exercise ordinary care to keep the premises in a reasonably safe  
13 condition for invitees and must warn of any hidden dangers.

14       The case at bar is a fairly straight-forward case because it is not a case where the government  
15 “should have known of the dangerous condition” but, in fact, the government did have “actual  
16 notice” of the defective property condition and failed to take adequate precautions to make certain  
17 that the holes in the property were properly identified with guardrails, stakes, or lighting that could  
18 not be removed by the anticipated crowds that were coming to the concert that day. In short, the  
19 Defendant was negligent in maintaining its property and that negligence was the proximate result  
20 of decedent’s death.

21                                  IV.

22                                  **GOLF CARTS**

23       As mentioned above, the MWR delivered twelve (12) golf carts to the *Polaris Point* premises

1 to be utilized by the employees of the sponsoring entities. Specifically, four (4) carts went to  
2 Ambros and Budweiser; four (4) carts went to NBG Security, and four (4) carts remained with  
3 MWR.

4 The Defendant has advanced the theory that it was improper for Cassandra to be driving a  
5 golf cart with four people on the golf cart. But it is undisputed that when MWR delivered the golf  
6 carts to **Polaris Point**, that no precautionary instructions or directions were given to anybody in the  
7 use of those carts. Specifically, there were no instructions given to Ambros prohibiting four riders  
8 from riding on the golf cart.<sup>3</sup> In point of fact, more than two people were riding in the golf carts all  
9 over **Polaris Point** that day and nobody stopped that usage. In Security Officer **Tina Lynee Rae's**  
10 statement to the United States Naval Criminal Investigative Service, she said:

11 I also know throughout the day/evening, everyone was riding in the same manner as  
12 the victim and that the golf carts can really only go 5 MPH.

13 If the Defendant did not want more than two persons riding in the golf carts, then it should  
14 have notified Ambros or the other users of the golf carts that only two people could ride in the carts.  
15 This failure on the part of MWR to warn of any dangers in the use of the carts was negligence and  
16 a breach of their duty to properly supervise the use of their own equipment.

17 ...members of health clubs are owed a duty of reasonable care to protect them from  
18 injury while on the premises. Citing cases. This duty necessarily includes a general  
19 responsibility to insure that their members know how to properly use gym  
equipment.

20 ...It is uncontested that Sports City had not instructed or supervised plaintiff in the  
21 use of the hack squat machine. This would normally be a breach of duty by Sports  
22 City as this machine could easily cause injury if not properly used. **Thomas v. Sports**  
**City, Inc.**, 738 So.2d. 1153, 1157-1158 (La. 1999).

23 \_\_\_\_\_  
24 <sup>3</sup> The only warning given was to make certain that the governors on the carts were not  
tampered with.

A cause of action for the negligent supervision or negligent training of the use of a golf cart that causes injury is derived from §§ 388 and 392 of the *Restatement, 2<sup>nd</sup> of Torts* concerning the use of a chattel by the supplier and owner of that chattel, if the supplier

- (a) Knows or has a reason to know that the chattel is or is likely to be dangerous for the use for which it is supplied, and
- (b) Has no reason to believe that those for whose use the chattel is supplied will realize its dangerous condition, and
- (c) Fails to exercise reasonable care to inform them of its dangerous condition or of the facts which might make it likely to be dangerous.

Consequently, because the Defendant has advanced the position that the Plaintiff and the Plaintiff's husband were negligent in permitting four people to ride on the golf cart, the evidence will show that nobody from MWR, the supplier of the golf carts, advised Cassandra that four people could not ride on the golf carts, and especially when she saw MWR personnel driving golf carts that day with more than two people in the golf carts. Then necessarily MWR was negligent in not directing or instructing on the proper use of those golf carts.

V.

## DAMAGES

Roland Boudreau was thirty-six (36) years old at the time of his death and had a life expectancy of thirty-eight (38) more years.<sup>4</sup> He was making approximately Fifty Thousand Dollars (\$50,000) per year at the time of his death, and had the opportunity to, of course, make much more than that. His 39.6 years of life expectancy, times Fifty Thousand Dollars (\$50,000) per year, equals One Million Eight Hundred Thousand Dollars (\$1,800,000). Cassandra and Roland's minor son are

<sup>4</sup> Plaintiff requests the Court to take judicial notice of the life expectancy table attached hereto. Source: *Am.Jur.2d. Desk Book.*

entitled to that amount of money, plus funeral expenses and hospital expenses, to properly reimburse them for his untimely death brought about by the negligence of the Defendant.

VI.

## **CONCLUSION**

The Defendant was negligent in providing its property to the concert goers in a dangerous condition when it had notice of a dangerous condition on the property and failed to correct it. And, secondly, the Defendant was negligent in delivering golf carts for use by Ambros employees without adequate warnings, supervision or instruction on their use.

Respectfully submitted this 1<sup>st</sup> day of February, 2008.

## **TEKER TORRES & TEKER, P.C.**

By   
**LAWRENCE J. TEKER, ESQ.**  
Attorneys for Plaintiff, *Cassandra C. Truong*

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2                   **CERTIFICATE OF SERVICE**  
3

2                   The undersigned certifies that on this date I caused to be served, via hand delivery, a file-  
3 stamped copy of Plaintiff's Trial Memorandum on the following:

4                   Mikel Schwab, Esq.  
5                   Assistant U.S. Attorney  
6                   Office of the United States Attorney  
7                   108 Hernan Cortez Avenue, Suite 500  
8                   Hagåtña, Guam 96910

9  
10                  DATED at Hagåtña, Guam, on February 1, 2008.

11                    
12                  LAWRENCE J. TEKER  
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23                  LJT:cs

PLDGS:TRUONG, CASSANDRA-U.S. NAVY:019

TEKER TORRES & TEKER, P.C.  
SUITE 2A, 130 ASPINALL AVENUE  
HAGÅTÑA, GUAM 96910  
TELEPHONE: (671) 477-9891-4

980 to 1995

cept as noted. Caution should be used in  
dition of the area.RATE PER 1,000 POPULATION<sup>1</sup>

	1985	1990	1992	1993	1994	1995, prel.
8.8	8.6	8.5	8.8	8.8	8.8	8.8
9.3	8.7	8.8	9.1	9.0	9.0	9.1
9.8	9.0	9.0	9.3	9.4	9.4	9.4
8.5	7.7	7.7	7.9	7.8	8.1	
8.8	8.2	8.4	8.5	8.2	8.6	
9.5	8.8	9.0	8.4	9.1	9.2	
10.0	9.5	9.5	9.7	9.4	9.7	
8.8	8.4	8.6	8.9	8.9	8.8	
9.9	8.8	8.5	9.7	9.7	9.7	
9.7	9.4	9.2	9.4	9.3	9.3	
9.4	9.1	9.1	9.2	9.1	9.3	
10.5	10.3	10.3	10.5	10.6	10.6	
8.9	8.9	8.7	8.0	8.0	8.1	
9.2	8.1	8.0	9.1	9.3	9.5	
8.8	8.8	8.8	9.1	9.1	9.0	
9.0	9.0	8.8	9.2	9.1	9.2	
8.7	8.5	8.4	8.7	8.7	8.7	
8.7	8.7	8.5	8.7	8.7	8.8	
9.3	9.1	9.0	9.6	9.3	9.5	
8.3	7.9	7.8	8.0	8.0	8.1	
9.8	9.7	9.5	9.9	9.8	9.1	
10.1	9.8	9.8	10.8	10.2	11.0	
8.3	8.9	9.0	8.3	8.2	8.5	
9.5	9.1	9.5	9.6	9.4	9.4	
8.4	9.4	9.2	9.6	9.3	9.4	
9.1	9.0	8.8	9.2	9.1	9.3	
8.1	8.0	8.0	9.3	9.2	9.3	
8.8	8.7	8.6	8.7	9.0	8.8	
8.3	8.0	7.8	8.7	8.2	8.3	
11.0	12.0	12.1	11.8	12.8	12.4	
7.9	7.8	7.7	8.0	8.0	8.0	
10.2	10.8	10.9	11.0	11.1	11.1	
8.5	8.6	8.7	9.0	8.9	9.0	
8.2	8.5	8.5	8.8	8.8	8.9	
8.2	8.0	7.8	8.1	8.0	8.1	
10.7	10.4	10.4	10.7	10.7	10.8	
1.4	9.8	9.4	9.8	9.8	9.8	
2.4	9.5	9.3	9.7	9.7	9.9	
9.2	9.6	9.3	9.7	9.6	9.7	
1.1	9.5	9.7	9.5	9.9	10.0	
4.5	9.5	9.8	9.7	10.1	10.0	
2.2	8.0	8.2	8.1	8.4	8.2	
9.0	10.4	10.5	10.4	10.8	10.7	
5.5	8.4	8.8	8.8	9.3	9.1	
3.3	9.1	9.7	9.5	10.1	9.9	
6.6	7.3	7.4	7.3	7.5	7.4	
0.8	8.8	7.1	7.2	7.3	7.4	
5.2	8.2	8.6	8.6	8.6	8.7	
2.2	7.2	7.4	7.6	7.5	7.5	
9.9	6.6	7.1	7.1	7.5	7.3	
6.6	6.3	6.6	6.5	6.7	6.8	
0.8	6.8	7.0	7.1	7.3	7.3	
9.9	7.7	7.9	8.1	8.2	8.4	
5.5	5.5	5.3	5.4	5.5	5.5	
4.7	7.6	7.8	7.7	7.8	8.2	
8.8	7.8	7.3	7.1	7.2	7.5	
7.7	7.8	7.6	7.4	8.0	7.5	
13.3	8.9	8.8	8.7	9.0	8.9	
7.6	7.6	7.2	7.0	7.0	7.1	
4.3	3.9	4.0	3.9	3.8	4.0	
5.2	5.6	5.6	5.1	6.0	6.2	

and 1990; estimated resident population as of July  
United States, annual; and Monthly Vital Statistics

Item No. 94  
Expectation of Life and Expected Deaths, by Race, Sex, and Age:  
1994

AGE IN 1990 (years)	EXPECTATION OF LIFE IN YEARS				EXPECTED DEATHS PER 1,000 ALIVE AT SPECIFIED AGE				
	Total		White		Total		White		
	Male	Female	Male	Female	Male	Female	Male	Female	
All birth	75.7	73.3	79.6	73.9	8.01	7.21	5.88	17.42	14.05
1	75.3	72.6	79.1	73.8	8.02	7.80	6.45	12.22	9.90
2	74.4	71.6	78.1	73.0	8.05	7.43	5.34	8.86	7.73
3	73.4	70.9	77.1	72.0	8.06	7.32	5.27	8.63	7.58
4	72.4	69.9	76.1	70.2	8.08	7.28	5.22	8.51	7.46
5	71.4	68.9	75.2	69.3	8.10	7.24	5.23	8.45	7.37
6	70.5	67.9	74.2	68.3	8.11	7.22	5.22	8.38	7.30
7	69.5	67.0	73.2	67.8	8.12	7.20	5.21	8.30	7.25
8	68.5	66.0	72.2	66.3	8.12	7.18	5.19	8.23	7.22
9	67.5	65.0	71.2	65.2	8.13	7.16	5.18	8.21	7.21
10	66.5	64.0	70.2	64.2	8.14	7.14	5.12	8.17	7.23
11	65.5	63.0	69.5	64.2	8.14	7.13	5.15	8.15	7.27
12	64.5	62.0	68.2	63.2	8.20	7.21	5.15	8.03	7.31
13	63.5	61.0	67.2	62.3	8.31	7.36	5.20	8.03	7.36
14	62.5	60.0	66.3	61.3	8.46	7.55	5.28	8.07	7.43
15	61.5	59.1	65.3	60.3	8.63	7.77	5.34	8.17	7.50
16	60.5	58.1	64.3	59.3	8.79	7.97	5.41	8.24	7.56
17	59.5	57.2	63.3	49.7	8.94	8.13	5.48	8.33	7.62
18	58.7	56.2	62.3	48.8	9.06	8.23	5.47	8.40	7.68
19	57.8	55.3	61.4	47.9	9.11	8.28	5.47	8.46	7.74
20	56.8	54.4	60.4	47.1	9.16	8.32	5.45	8.52	7.74
21	55.8	53.4	59.4	46.2	9.17	8.36	5.44	8.58	7.81
22	54.8	52.5	58.5	45.3	9.18	8.41	5.44	8.62	7.88
23	53.8	51.6	57.5	44.5	9.28	8.46	5.46	8.68	7.95
24	52.8	50.7	56.5	43.6	9.38	8.51	5.47	8.74	8.02
25	51.8	49.7	55.5	42.8	9.47	8.56	5.50	8.79	8.08
26	50.8	48.8	54.6	41.9	9.58	8.63	5.52	8.81	8.11
27	49.8	47.9	53.7	41.0	9.68	8.70	5.54	8.87	8.13
28	48.8	46.9	52.8	40.1	9.78	8.76	5.56	8.92	8.18
29	47.8	45.9	51.9	39.2	9.88	8.82	5.57	8.97	8.22
30	46.8	44.9	51.0	38.3	9.98	8.88	5.58	9.01	8.26
31	45.8	43.9	50.1	37.4	10.08	8.94	5.60	9.06	8.30
32	44.8	42.9	49.2	36.5	10.18	8.99	5.62	9.10	8.34
33	43.8	41.9	48.3	35.6	10.28	9.04	5.64	9.14	8.38
34	42.8	41.0	47.4	34.7	10.38	9.09	5.66	9.17	8.42
35	41.8	40.0	46.5	33.8	10.48	9.14	5.67	9.21	8.46
36	40.8	38.0	41.1	30.5	10.58	9.19	5.68	9.25	8.50
37	39.8	36.1	40.1	29.7	10.68	9.25	5.70	9.29	8.56
38	38.8	34.2	39.2	28.9	10.78	9.30	5.72	9.33	8.60
39	37.8	33.3	38.2	28.0	10.88	9.35	5.74	9.37	8.64
40	36.8	32.3	37.3	27.1	10.98	9.40	5.75	9.41	8.68
41	35.8	31.4	36.4	26.2	11.08	9.45	5.77	9.45	8.72
42	34.8	30.5	35.5	25.3	11.18	9.50	5.78	9.49	8.76
43	33.8	29.6	34.6	24.4	11.28	9.55	5.80	9.53	8.80
44	32.8	28.7	33.7	23.5	11.38	9.60	5.81	9.57	8.84
45	31.8	27.8	32.8	22.6	11.48	9.65	5.82	9.61	8.88
46	30.8	26.9	31.9	21.7	11.58	9.70	5.83	9.65	8.92
47	29.8	26.0	31.0	20.8	11.68	9.75	5.84	9.69	8.96
48	28.8	25.1	30.1	19.9	11.78	9.80	5.85	9.73	9.00
49	27.8	24.2	29.2	19.0	11.88	9.85	5.86	9.77	9.04
50	26.8	23.3	28.3	18.1	11.98	9.90	5.87	9.81	9.08
51	25.8	22.4	27.4	17.2	12.08	9.95	5.88	9.85	9.12
52	24.8	21.5	26.5	16.3	12.18	10.01	5.89	21.43	11.95
53	23.8	20.6	25.6	15.4	12.28	9.50	5.93	19.97	11.13
54	22.8	20.7	24.7	14.5	12.38	9.55	5.93	19.97	11.13
55	21.8	19.9	23.9	13.7	12.48	9.55	5.93	23.06	12.80
56	20.8	19.1	23.1	12.9	12.58	10.51	5.93		
57	21.1	19.1	23.1	18.5	20.7	11.82	14.05	8.15	24.86
58	20.3	18.4	22.2	15.9	20.0	12.77	15.56	9.01	26.77
59	19.6	17.7	21.4	15.3	19.3	13.96	17.11	9.90	26.57
60	18.9	17.0	20.6	14.7	18.6	15.14	18.69	10.79	30.19
61	18.1	16.3	19.9	14.2	17.9	16.36	20.32	11.70	31.70
62	17.4	15.8	19.1	13.6	17.2	17.64	22.08	12.68	33.11
63	14.1	12.5	15.4	11.0	14.1	26.44	33.18	19.65	48.61
64	11.0	9.8	12.0	8.9	11.2	36.29	48.61	30.82	65.80
65	8.3	7.2	9.0	6.8	8.8	60.17	78.21	48.38	86.75
66	5.2	5.1	6.2	5.2	5.3	1,000.0	1,000.0	1,000.0	1,000.0

<sup>1</sup>Based on the proportion of the cohort who are alive at the beginning of an indicated age interval who will die before reaching the end of that interval. For example, out of every 1,000 people alive and exactly 50 years old at the beginning of the period, 14.05 people (4.78) will die before reaching their 51st birthdays.

Source: U.S. National Center for Health Statistics, Vital Statistics of the United States, annual; and unpublished data.